

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. 85-43

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
ANGEL ISLAND STATE PARK

AMENDING ORDER NO. 84-73, A CEASE AND DESIST ORDER

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. On October 17, 1984, this Board adopted Order No. 84-73, ordering the California Department of Parks and Recreation (hereinafter discharger) to cease and desist from discharging waste from Angel Island State Park contrary to requirements of Order No. 82-48 (a NPDES permit).
2. Order No. 84-73 provides a time schedule for construction of new secondary treatment facilities to achieve compliance with Board requirements. Final construction was to be completed by June 17, 1985, with full compliance by September 1, 1985.
3. The above time schedule was based on acceptance by the discharger on October 16, 1984 of a low bid of \$351,000 (just under the \$355,000 in funding available) for construction of the treatment facilities. On October 18, 1984 the low bidder informed the discharger that their bid was in error - by \$100,000. The bid was withdrawn. The next bid was 32% above the available funds. The discharger would have to rebid the project. In the meantime additional funding would have to be obtained to meet the anticipated bids. It became apparent that these delays could result in failure of the discharger to meet the time schedule in Order No. 84-73.
4. The discharger pursued all available sources for additional funding. On December 19, 1984 the State Public Works Board approved emergency funding to supplement the treatment plant construction funds - making available a total of \$580,700 for the project..
5. In late December 1984 the discharger rebid the construction project. The final bids were opened on January 29, 1985. The lowest acceptable bid was within the State's available funds. The discharger thus proceeded with contractual agreements.
6. On March 1, 1985 the discharger submitted a new time schedule for construction of the new secondary waste treatment facilities.
7. The Board finds the delays in meeting the construction time schedule were due to circumstances beyond the control of the discharger. The discharger diligently pursued all possible avenues to rectify the situation in a timely manner. A positive solution has been found and the construction time schedule should be revised to achieve compliance with Board requirements.
8. On March 20, 1985, after due notice to the discharger and other affected persons, a panel of the Board conducted a public hearing at which evidence was received

and considered concerning its intent to prescribe a revised compliance time schedule for the discharger. On April 30, 1985 the full Board considered the recommendation of the panel.

9. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Control Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, that Order No. 84-73 is amended as follows:

1. Provision 1 is amended to read:

" The discharger shall comply with Effluent Limitations and Provisions referenced in Finding 2 in accord with the following time schedule:

<u>TASK</u>	<u>Compliance Date</u>
(a) Award contract for new treatment plant	- March 18, 1985
(b) Complete construction of new treatment plant	- December 8, 1985
(c) Achieve and maintain full compliance with this Order	- February 15, 1986

I, Roger B. James, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 30, 1985.

ROGER B. JAMES
Executive Officer